In the High Court of Judicature at Madras

Dated:13.06.2006

Coram:

The Hon'ble Mr. Justice P. SATHASIVAM
and
The Hon'ble Mr. Justice V. DHANAPALAN

Habeas Corpus Petition No.336 of 2006

V. Manoharan .. Petitioner

vs.

1. State by Inspector of Police
   J9 Thuraipakkam Police Station
   Chennai.

2. Commissioner of Police
   Chennai City
   Chennai.

3. N. Aswin Kumar .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of writ of habeas corpus as stated therein.

For petitioner : Mr. Shivaganesh
for K. Balu

For respondents 1 and 2 : Mr. M. Babu Muthu Meeran
Addl. Public Prosecutor

ORDER

(Order of the Court was made by P. SATHASIVAM,J.,)

The petitioner, by name, V. Manoharan has filed this petition seeking production of his daughter Devika before this Court and set her at liberty.

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2. According to the petitioner, her daughter has been detained by the third respondent. Pursuant to the direction of this Court, learned Additional Public Prosecutor on instruction informs that on 30.03.2005, the detenue Devika and the third respondent N. Aswin Kumar married and also registered their marriage. He also produced xerox copy of the Marriage Registration Certificate issued by the competent authority. In addition to the same, learned Additional Public Prosecutor has also produced copy of the proceedings of the Family Court, Hyderabad, Andhra Pradesh, which shows that the detenue and the third respondent filed I.A.No.428 of 2006 in FCOP.No.276 of 2006, praying for an order of injunction restraining the respondents 1 to 4 therein from interfering with the matrimonial lives of the petitioners and defer them from causing any hurdles and obstruction in the smooth running of their marital life till the disposal of the main petition. The first respondent in that petition is one Manohar, who is the petitioner in this petition and also father of the detenue Devika. Further, it shows that by order dated 25.04.2006, the Family Court at Hyderabad granted interim injunction and posted the case to 13.06.2006 for further orders.

3. In the light of the information furnished by the learned Additional Public Prosecutor and the order passed by the Family Court at Hyderabad, wherein the petitioner has been impleaded as first respondent, we are of the view that no further adjudication is required in this petition. The petitioner is free to contest the application, which is pending before the Family Court at Hyderabad, if he so desire.

With the above observation, this petition is closed.

Kh

Sd/
Asst.Registrar

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Sub Asst.Registrar

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To

1. The Inspector of Police
   J9 Thuraipakkam Police Station
   Chennai.

2. Commissioner of Police
   Chennai City
   Chennai.

3. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.K. Balu, Advocate SR No.24185

JRG(CO)
SR/16.6.2006 Order in
H.C.P.No.336 of 2006

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